

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	S9 19cr463-6(DLC)
-v-	:	
	:	<u>ORDER</u>
BENZION ZIRKIND,	:	
	:	
Defendant.	:	
	:	
-----X	:	

DENISE COTE, District Judge:

A letter dated January 27, 2021 from attorney Saul Bienenfeld advised the Court that his firm has been substituted as counsel for the defendant. The Consent to Change Attorneys has been executed by counsel and the defendant and filed in the public record. Counsel requests that the February 5, 2021 sentencing date be adjourned for two weeks and that his client will consent to a virtual sentencing as opposed to an in-person proceeding. It is hereby

ORDERED that Bienenfeld's appearance as counsel for the defendant is accepted. The Clerk of Court shall terminate prior counsel Matthew Myers' appearance.

IT IS FURTHER ORDERED that the February 5 sentencing is reschedule for **February 19, 2021 at 2 p.m.** and shall proceed via the Microsoft Teams videoconference platform, if that platform is reasonably available. To access the conference, paste the following link into your browser:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzM0YjdiOWQtOTUxZS00MmQ4LWJjYTktNjJkN2IyYzg3MDY3%40thread.v2/0?context=%7b%22Tid%22%3a%221d66f037-8266-4d1c-919c-67c6543d3542%22%2c%220id%22%3a%2220b3b4ec-1ef6-4484-88f4-2126fec52fa%22%7d.

To use this link, you may need to download software to use the platform's videoconferencing features.¹ Participants are directed to test their videoconference setup in advance of the conference -- including their ability to access the link above. Defense counsel shall assist the defendant in testing his videoconference capability so that the defendant can participate by videoconference if that is feasible.

Users who are unable to download the Microsoft Teams application may access the meeting through an internet browser, although downloading the Teams application is highly recommended.² When you successfully access the link, you will be placed in a "virtual lobby" until the conference begins. Participants should also ensure that their webcam, microphone, and headset or speakers are all properly configured to work with Microsoft Teams. For general guidelines for participation in

¹ See Microsoft, Download Microsoft Teams (last visited Dec. 7, 2020), <https://www.microsoft.com/en-us/microsoft-365/microsoft-teams/download-app>.

² Please note that participants who access the Teams meeting using an internet browser may only be able to view one participant at a time.

remote conferences, visit <https://nysd.uscourts.gov/covid-19-coronavirus>.

IT IS FURTHER ORDERED that members of the press, public, or counsel who are unable to successfully access Microsoft Teams may access the conference's audio using the following credentials:


Call-in number: +1 917-933-2166

Conference ID: 304 967 048#

IT IS FURTHER ORDERED that by **February 12, 2021**, defense counsel shall file a letter informing the Court whether counsel and the defendant have successfully tested Microsoft Teams. If the defendant and counsel are unable to successfully test Microsoft Teams, defense counsel shall advise the Court whether the defendant consents to proceeding with a telephone conference or whether the defendant requires the proceeding to occur in person.

IT IS FURTHER ORDERED that any additional sentencing submission by the defendant shall be due **February 12**. The Government's response, if any, is due **February 16**.

Dated: New York, New York
January 29, 2021



DENISE COTE
United States District Judge